

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Ronald Ray Chapman**

Docket No. **285809**

L.C. No. **97-006171-FC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal filed June 2, 2008, is DISMISSED for lack of jurisdiction because the application for leave to appeal was not filed within 12 months of the October 1997 judgment of sentence as required by MCR 7.205(F)(3) and the renewed request for appellate counsel that resulted in the order of appointment of counsel was not made within 12 months of the judgment of sentence as required by MCR 7.205(F)(4). See *People v Houlihan*, 480 Mich 1165 (2008), citing *Simmons v Kapture*, 516 F3d 450 (CA6, 2008), for the proposition that *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed2d 552(2005) is not retroactive.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 18 2008

Date

Sandra Schultz Mengel

Chief Clerk